

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY LEWIS,	)	
	)	
Petitioner,	)	No. C 07-3267 CRB (PR)
	)	
vs.	)	ORDER OF TRANSFER
	)	
IVAN CLAY, Acting Warden,	)	
	)	
Respondent.	)	

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Petitioner seeks federal habeas review of a conviction from the Superior Court of the State of California in and for the County of Glenn, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Petitioner is incarcerated at the Sierra Conservation Center in Jamestown, County of Tuolumne, which also lies within the venue of the Eastern District of California. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L. R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because the County of Glenn lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter and terminate all pending motions as moot.  
SO ORDERED.

DATED: June 22, 2007

  
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CHARLES R. BREYER  
United States District Judge